

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MONICA LYNNE COOK

Plaintiff,

v.

MOUNT VERNON POLIC DEPARTMENT

Defendant.

Case No. 2:24-cv-00116-RSM

ORDER DIRECTING PLAINTIFF TO
FILE AMENDED COMPLAINT

Pro se Plaintiff Monica Lynne Cook was granted leave to proceed *in forma pauperis* in this matter on January 26, 2024. Dkt. #1. The Complaint has been posted on the docket. Dkt. #1-1. Summonses have not yet been issued.

Ms. Cook brings this action against the Mount Vernon Police Department. *Id.* at 1. Ms. Cook alleges that “on March 20 2022 my son was arrested for charges of Robbery 1st degree and taken to jail on his [age is unclear] birthday by MVPD. I can’t access the documents needed to show his property report as its listed as an open investigation at this time. They [Mount Vernon Police Department] took 2,000\$ of hard earned cash . . . as well.” *Id.* at 3. She further alleges that the “MUPD siezed property from my son including his \$2,000 cash I believe although they had no right to. My son has been targeted as well as myself and I’m hoping to bring the truth to light here. My baby has suffered from their negligence as well.” *Id.* at 2, 4.

The Court will dismiss a Complaint at any time if the action fails to state a claim, raises frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. § 1915(e)(2)(B).

1 As it currently stands, Plaintiff's Complaint fails to state a claim upon which relief can
2 be granted. Plaintiff's Complaint is devoid of sufficient detail to bring a cause of action against
3 the Defendant, e.g. the who, what, where, when, and why of the incident that caused Plaintiff's
4 injuries. Defendant cannot respond to these accusations without further factual details. The
5 Complaint lacks indication that this Court has subject matter jurisdiction and lacks citations to
6 law that could allow Plaintiff to recover against Defendant. Though Plaintiff mentions that she
7 and her son have been "targeted," no further detail is provided. Plaintiff's allegations mostly
8 concern her son and his property, but it is unclear if Plaintiff seeks to bring this action on behalf
9 of her possibly minor-aged child. In sum, the Complaint suffers from deficiencies that, if not
10 corrected in an Amended Complaint, require dismissal. *See* Fed. R. Civ. P. 12(h)(3); 28 U.S.C.
11 § 1915(e)(2)(B).
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14 Accordingly, the Court hereby ORDERS that Plaintiff shall file an Amended Complaint
15 **no later than thirty (30) days from the date of this Order.** This Amended Complaint will
16 replace the original. In the Amended Complaint, Plaintiff must repeat all the elements of the
17 existing Complaint (the parties, the causes of action, etc.) plus additional facts and citations to
18 law addressing the above deficiencies. All relevant facts must be included in a single pleading
19 document and not in attachments. Failure to file a timely Amended Complaint will result in
20 dismissal of this case.
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22 DATED this 9th day of February, 2024.
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25 RICARDO S. MARTINEZ
26 UNITED STATES DISTRICT JUDGE
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